

**PRELIMINARY ASSESSMENT FOR DETERMINING ELIGIBILITY AND  
WAITING LIST PLACEMENT**

- A. Definition:** Records must be collected and assessed to determine if an individual meets the criteria for eligibility. If the individual is eligible, appropriate placement on the waiting list must be determined.
- B. Scope of Services:** Services will be designed to determine if the applicant has a physical or mental impairment, if that impairment results in a substantial impediment to employment, and whether the individual requires vocational rehabilitation services to prepare for, enter, engage in, or retain gainful employment. These services will also assist the counselor in determining which waiting list the client qualifies for. See A-6 for a description of providers from whom records will assist in determining eligibility. A statement from a school psychologist that identifies a client demonstrating a pattern of behavior ~~to~~ consistent with (name of condition) is acceptable to use in the determination of eligibility.

A rehabilitation counselor determines eligibility for services by reviewing existing medical, psychological, and educational records to determine if the case meets at least one of the RSA disability codes. Once that has been determined, the counselor must next determine if the functional limitations pose a substantial impediment to employment. If the impediments are of a serious nature and constitute a need for services in order to prepare for, obtain, and retain employment, then the counselor determines which waiting list category should be assigned to the case.

**C. Agency Expectations:**

1. Services solely to assess which vocational rehabilitation services are needed for the individual to reach an employment outcome will not be provided until after eligibility has been determined.
2. No financial needs test is needed for these services and there should be no cost to applicants.
3. Medical insurance held by the client may be used for assessment unless the client provides reasoning to not use it.
4. The agency will not be responsible for the cost of any service that staff did not authorize.
5. Staff will arrange an opportunity to discuss with the client the eligibility decision and discuss the client's current status in relationship to that decision.

**D. Exceptions:** The following require an exception signed by the supervisor:

None

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## WAITING LIST – TITLE I

### **A. Definitions:**

1. Waiting List . According to the Federal Rehabilitation Act, if a state vocational rehabilitation program cannot serve all eligible individuals who apply, it must develop a waiting list for services based on significance of disability.
2. Individual with a significant disability - ~~%~~individual with a significant disability+ (SD) means an individual who has a significant physical or mental impairment which seriously limits one or more functional capacities (mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome.
3. Individual with a most significant disability - ~~%~~individual with a most significant disability+(MSD) means an individual who is seriously limited in three or more functional capacities (mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or cognitive/motor skills) in terms of an employment outcome. If an individual is seriously limited in one functional area to the degree it caused him/her to lose a job, to have never worked, or to only be able to work intermittently, (due to the disability), then the individual is considered to have one of the most significantly disabling conditions and is considered MSD.

**B. Scope of Services:** Assessment of the significance of the individual's disability is done during the process of determining eligibility. Once the person is placed on a waiting list, testing may still be done to determine the appropriate category. Material provided to the counselor can also be used for reconsideration of the category placement decision.

### **C. Agency Expectations:**

1. The waiting list is explained to each applicant as a part of the application process.
2. When a waiting list is implemented, all current clients (Status 02-24) will continue to receive services until the file is closed.
3. Individuals needing and qualifying for post-employment services shall receive them, without regard to the waiting list.
4. The appropriateness of the category to which a client has been assigned can be reassessed at any time.

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5. A client may move to a higher category because of a change in circumstances or counselor assessment of information, but is only moved down to correct a recording error.
6. Individuals are placed on the waiting list in order of the date of their eligibility and taken off in that same order.
7. All MSD must be served before any SD can be served. All MSD and SD must be served before the Other Eligible group can be served.
8. All cases on the waiting list in category 6, Other\$ Eligible, are sent to Des Moines except those cases that may change pending additional medical records.

**D. Exceptions:** The following require an exception signed by the supervisor:

None.

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## STANDARDS FOR ELIGIBILITY

### **A. Definition**

1. Certification - The formal process of indicating that the applicant does or does not meet the criteria of eligibility.
2. Eligibility - Refers to a certification that an individual:
  - a. has a physical or mental impairment which for that individual constitutes or results in a substantial impediment to employment;
  - b. can benefit in terms of an employment outcome; and
  - c. requires vocational rehabilitation services to prepare for, enter, engage in, or retain gainful employment.

Individuals receiving SSDI or SSI are presumed to be eligible. If the individual has a current Ticket to Work that is proof that they are receiving SSDI or SSI.

Individuals must be available for work and able to meet with agency staff to begin the development and implementation of a plan for employment.

3. Employment Outcome . %means, with respect to an individual, entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market to the greatest extent practical; supported employment; or any other type of employment, including self-employment, telecommuting, or business ownership, that is consistent with an individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.+ (34 CFR 361.5(b)(16)
4. Physical or mental impairment means- %i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculo-skeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or (ii) Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.+ (34 CFR 361.5(b)(41)

The IVRS Disability Identification Tool and the RSA Coding Rubric provide the definition of the appropriate mental impairment used for students in transition, which is then used in coding the case for eligibility purposes (34 CFR361.42(d)(1)(i)).

5. Substantial Impediment to Employment %means that a physical or mental impairment (in light of attendant medical, psychological, vocational, educational, communication, and other related factors) hinders an individual from preparing for, entering into, engaging in, or retaining employment consistent with the individual's abilities and capacities.+ (34 CFR 361.5(b)(52)

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**B. Scope of Services:** The counselor will use all available information, including any medical information that they may need to purchase, to determine if the individual is eligible for VR services. The counselor will use existing information to the extent possible, including the client's disclosure.

**C. Agency Expectations:**

1. A decision on the eligibility of an applicant will be made within 60 days of application, unless the individual has agreed to an extension and signed the appropriate agency form.
2. If the determination of eligibility takes more than 60 days there must be extension forms in the file adequate to cover the total time beyond 60 days. A client may provide a verbal approval of the extension documented in a R-413, which is followed up with a signed letter or form.
3. The presence of a disability and limitations must be documented in the file.
4. The certification of eligibility form must be signed and dated by an IVRS counselor or supervisor.
5. IVRS does not provide services based on an interim determination of eligibility. Case services are provided only to clients certified as eligible and who are not on the waiting list..
6. To be recognized as a legitimate disability the condition must:
  - a. be recognized as a medical or mental condition by appearing in a generally accepted listing of diagnostic categories; and
  - b. be identified by qualified personnel, as defined in IVRS policy.
7. IVRS does not recognize pseudo-disabilities, such as co-dependent, adult child of an alcoholic, child of an alcoholic, scotopic sensitivity syndrome, or similar diagnoses.

**D. Exceptions:** The following require an exception signed by the supervisor:

None

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## INELIGIBILITY

**A. Definition:** Ineligibility means that the preliminary assessment reveals that the individual does not have a disabling condition; or does have a disabling condition, but it does not create a substantial impediment to employment, therefore the applicant is not eligible, and the case must be closed. An individual may also be ineligible because it has been shown with clear and convincing evidence, through Trial Work Experiences, that the individual is too severely disabled to be able to benefit from the services of vocational rehabilitation services.

**B. Scope of Services:** The counselor will use all available information, including any medical or work assessment information that they may need to purchase to determine if the individual is or is not eligible for VR services. Cases placed in Status 06 must have participated in a minimum of two trial work experiences prior to a closure of ineligibility due to handicap too severe.

**C. Agency Expectations:**

1. Certification. The following reasons constitute a decision of ineligibility and require certification:
  - a) No disabling condition.
  - b) No vocational handicap.
  - c) Too severely disabled to benefit from services. This can only be done after a minimum of two Trial Work Experiences have been tried and show by clear and convincing evidence that the individual is too severely disabled to benefit from vocational rehabilitation services.

The certification must include the specific reasons for the ineligibility determination, and should cite supportive information contained in the file.

2. Other Pre-Eligibility Closure: The following, which are also reasons for closure of the case, do not constitute a decision of ineligibility and certification is neither appropriate, nor required.
  - a) Died.
  - b) Moved out of state, or has been impossible to locate after reasonable efforts to do so.
  - c) Client has been institutionalized under circumstances rendering the individual unavailable.
  - d) Client has removed self from consideration by refusing services or failing to cooperate after reasonable effort has been made to encourage participation.
  - e) Other comparable reasons.

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3. Other considerations . In both ineligibility and other pre-eligibility closures, the following must be observed:
  - a) The determination must be made only after full participation with the individual, or their parent, guardian or other representative, or after affording a clear opportunity for such consultation.
  - b) The individual shall, if appropriate, be referred to other agencies and facilities, as well as provided a detailed explanation of the resources available within the Client Assistance Program.
  - c) If it is felt the client might benefit from services to improve their ability to live independently, they should be given information about and be referred to independent living services programs.
4. Closure Notification . If closed as ineligible for VR services, the individual must be notified in writing of the action taken and the reasons for such action, as well as the means for expressing dissatisfactions and seeking remedy, including the procedures for review, mediation and appeal.
5. Annual Review of Ineligibility Determination . When it has been found that an individual is not eligible because the disability is too severe IVRS will review the decision within 12 months and annually thereafter if requested by the individual. Such reviews will not be conducted in the cases of individuals who have refused such review, are no longer present in the state, whereabouts are unknown, there is no disabling condition, or when the medical condition is rapidly progressive or terminal.

**D. Exceptions:** The following require an exception signed by the supervisor:

None

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